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EXAMINER	
BOYCE, ANDRE D	
ART UNIT	**PAPER NUMBER**
3623	

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/883,094	DAVIES ET AL.	
	Examiner	Art Unit	
	Andre Boyce	3623	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *07 February 2002*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-4,6-22,24-26,28,30-47 and 49-57* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-4,6-22,24-26,28,30-47 and 49-57* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date *4/15/02*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. Applicant's preliminary amendment filed February 7, 2002 has been entered. Claims 1-4, 6-10, 12-23, 25, 26, 28, 30, 31, 34, 35, 38, and 41 have been amended. Claims 5, 23, 27, 29, and 48 have been canceled. Claims 49-57 have been added. Claims 1-4, 6-22, 24-26, 28, 30-47 and 49-57 are pending.

Claim Rejections - 35 USC § 112

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 17, 21, 25, 31-34, 39, 40, 42, 53, and 57 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 17 recites the limitation "said states". There is insufficient antecedent basis for this limitation in the claim.

Claims 21 and 53 are rendered vague and indefinite. It is unclear whether portion of the claims beginning "e.g., only after all..." is intended to be a part of the limitation of the claims. Claim 57 depends from claim 21 and is rejected based upon the same rationale.

Claim 25 is rendered vague and indefinite. It is unclear whether portion of the claim beginning "(where parts comprise objects, their relationships and the lifecycle itself)..." is intended to be a part of the limitation of the claim.

Claim 31 is rendered vague and indefinite for use of the term "real time/living". It is not clear whether the terms are conjunctive or disjunctive. Claims 32 and 33 are rejected based upon the same rationale.

Claim 34 is rendered vague and indefinite for use of the term "structure/hierarchy". It is not clear whether the terms are conjunctive or disjunctive.

Claim 39 is rendered vague and indefinite. It is unclear whether portion of the claim "(e.g. cost to date)" is intended to be a part of the limitation of the claim.

Claim 40 is rendered vague and indefinite. It is unclear whether portion of the claim "(e.g. sales forecasts)" is intended to be a part of the limitation of the claim.

Claim 42 is rendered vague and indefinite. It is unclear whether portion of the claim "(e.g. metric 1 divided by metric 2)" is intended to be a part of the limitation of the claim.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 1, 2, 3, 9-16, 22, 24-26, 34, 38-40, 42, 46, 47, and 49-52 are rejected under 35 U.S.C. 102(b) as being anticipated by Ladd (USPN 5,864,480).

As per claim 1, Ladd discloses a method of designing a process lifecycle using a computer system (i.e., electronic product development system, column 1, lines 38-

40) comprising: presenting a series of user interfaces allowing a process architect to define a process lifecycle using business model objects as building blocks (i.e., using product control center (PCC) to model the product development process, wherein the process is based on object oriented software, column 3, lines 26-29 and column 5, lines 18-20); presenting input indications in said series of user interfaces allowing a process architect to specify what parts of said defined process lifecycle can be deleted or modified (i.e., user can configure and define the PCC by adding, modifying, or deleting any of the PCC components, column 3, lines 30-32); registering input of a process architect to create one or more process lifecycles (i.e., accepting a description of the processes used to realize the product, 41-45); and wherein said parts of said process lifecycle comprises one or more of said business model objects or one or more relationships between said business model objects (i.e., a process is based on object oriented software engineering, including a life cycle tree which details the relationships, column 5, lines 16-20 and column 6, lines 50-53).

As per claim 2, Ladd discloses a method of initiating a product development process using a computer system (i.e., electronic product development system, column 1, lines 38-40) comprising: presenting one or more user interfaces allowing a program manager to select from one or more defined process lifecycles (i.e., using product control center (PCC) to model the product development process, column 3, lines 26-29); presenting a series of user interfaces allowing a program manager to modify those parts of a selected process lifecycle that are specified as modifiable in

said process lifecycle (i.e., user can configure and define the PCC by adding, modifying, or deleting any of the PCC components, column 3, lines 30-32); presenting a series of user interfaces allowing a program manager to make assignments of process implementers to roles in said process lifecycle (i.e., PCC provides a set of metrics monitoring different aspects of development, including scheduling, resources, and team creation, column 3, lines 64-67 and column 6, lines 35-37); registering input of a program manager to create one or more program lifecycles (i.e., process script GUI (PSG) application that inputs a process used for life cycle of a product, column 4, lines 16-18); and initiating a program lifecycle as a program for automated execution in response to an indication from a program manager (i.e., PCC is information technology enabling a user to have immediate access to the integrated information, column 3, lines 9-13).

As per claim 3, Ladd discloses a method of executing a product development program using a computer system (i.e., electronic product development system, column 1, lines 38-40) comprising: using an instance of a product development process, with one or more predefined roles assigned to one or more process implementers, to coordinate activity of various resources (i.e., PCC provides a set of metrics monitoring different aspects of development, including scheduling, resources, and team creation, column 3, lines 64-67 and column 6, lines 35-37); presenting one or more user interfaces to one or more process implementers to provide a task list of resource assignments to said one or more process implementers (i.e., PCC provides a set of metrics monitoring different aspects of

development, including scheduling, resources, and team creation, column 3, lines 64-67 and column 6, lines 35-37); presenting one or more user interfaces to one or more process implementers to receive data indicating completed or uncompleted resource assignments from said one or more process implementers (i.e., PCC provides access to process status and schedule, column 10, lines 6-10); aggregating data received from said one or more process implementers into project summary data (i.e., the summary browse gives a brief description of the deliverable, its completion status, and metrics, column 4, lines 64-66); and presenting project summary data to a program manager (i.e., summary browse presented to user via product description GUI, column 4, lines 58-59).

As per claim 9, Ladd discloses business objects can be combined to form a structure or hierarchy (i.e., entering the process into the PCC using a top down technique, column 6, lines 66-67) where rules associated with a business object are based on one or more factors comprising: contents of said business object (i.e., definition of the process, phases, and deliverables, column 7, lines 1-7).

As per claim 10, Ladd discloses contents based rules comprise one or more of: a gate review business object cannot be complete until all its content questionnaires are complete; and a project business object cannot be completed until all its phases are complete (i.e., each process comprises a life-cycle tree divided into phases, column 3, lines 35-39).

As per claim 11, Ladd discloses said computer system presents interfaces to a program manager (i.e., PSG is used to input a process used for the entire life cycle,

column 4, lines 10-11) through which said manager: inputs profile information (i.e., accepting description of the processes that will be used to realized the product, column 3, lines 41-45); receives and reviews candidate lifecycles (i.e., PCC used to analyze the product cycle in phases and make rational developmental decisions about how to meet the product development needs, column 3, lines 22-25); selects a desired lifecycle; modifies a selected lifecycle (i.e., user can configure and define the process by adding, modifying, or deleting PCC components, column 3, lines 30-32); creates an instance of a selected and/or modified lifecycle for a particular development program (i.e., accepting a description of the processes used to realize the product, column 3, lines 41-45); and assigns users to predefined roles for said particular development program (i.e., team creation, column 6, lines 35-39).

As per claim 12, Ladd discloses said business model objects can comprise one or more of: methodology, lifecycle, role, phase, deliverable (column 6, lines 42-46), resource assignment, fixed cost, and risk.

As per claim 13, Ladd discloses a computer system software engine usable for designing process lifecycles and managing and executing instances of process lifecycles for particular programs (i.e., electronic product development system, column 1, lines 38-40) comprising: one or more lifecycles; wherein each of said lifecycles comprises one or more phases; and wherein each of said phases can comprise one or more deliverables (i.e., product specified in terms of a process, comprised of life-cycle trees, which is divided into phases, which are divided into deliverables, column 3, lines 35-39).

As per claim 14, Ladd discloses wherein each of said lifecycles can comprise one or more of role, cost, resource assignment, and risk data (i.e., PCC provides a set of metrics for monitoring different aspects, including budget and resources, column 3, lines 64-67).

As per claim 15, Ladd discloses wherein each of said phases can comprise one or more of role, cost, resource assignment, and risk data (i.e., PCC provides a set of metrics for monitoring different aspects, including budget and resources, column 3, lines 64-67).

As per claim 16, Ladd discloses wherein each of said deliverables can comprise one or more of role, cost, resource assignment, and risk data and one or more files of any type (i.e., PCC provides a set of metrics for monitoring different aspects, including budget and resources, column 3, lines 64-67).

As per claim 22, Ladd discloses method of managing a product development process using a computer system (i.e., electronic product development system, column 1, lines 38-40) comprising: defining elements of a process lifecycle in a structured hierarchy of resource assignments, phases and deliverables (i.e., product specified in terms of a process, comprised of life-cycle trees, which is divided into phases, which are divided into deliverables, column 3, lines 35-39); wherein once said structured hierarchy of phases and deliverables is specified, said computer system is capable of enforcing required aspects of said process lifecycle (i.e., PCC directs development and can invoke all necessary tools, column 3, lines 57-60); and said computer system automates execution of a program by distributing resource

assignments as they are needed (i.e., PCC functionality includes process definition and product description, including phased implementation, deliverable identification, and milestones, column 4, lines 1-5) and providing a continuously updated living schedule integrating progress status of all aspects of a program (i.e., PCC monitors schedule, productivity, budget, and resource metrics, wherein the metrics are updated based upon evaluation, column 8, lines 39-47).

As per claim 24, Ladd discloses said elements of a process/lifecycle comprise hourly cost (budget requirements, column 3, lines 66-67), required skills (i.e., requirement acquisitions, column 6, lines 35-37), and competency levels (resource requirements, column 3, lines 66-67).

As per claim 25, Ladd discloses allowing a process architect to indicate what parts of the process/lifecycle are mandatory (i.e., PCC stresses process adherence, therefore some parts of the process would be mandatory, column 3, lines 13-16) and what parts (where parts comprise objects, their relationships and the lifecycle itself) can be changed by a program manager or team in order to enforce process parameters (i.e., PCC is modifiable and configurable to model almost any product development process, column 3, lines 26-28).

As per claim 26, Ladd discloses allowing a process architect to classify a lifecycle based on a series of user-defined criteria that will determine the conditions under which the lifecycle can be used (i.e., each product in the PCC is specified in terms of a process, column 3, lines 35-38), wherein said user-defined criteria can comprise

one or more of the type of product being developed (i.e., each product in the PCC is specified in terms of a process, column 3, lines 35-38).

As per claim 34, Ladd discloses enforcing a consistent process structure/hierarchy comprising lifecycles, phases, deliverables, and/or resource assignments (i.e., PCC is specified in terms of a process, comprised of a life-cycle tree, divided into phases, divided into deliverables, column 3, lines 35-39); enforcing a consistent mapping of organizational structure comprising divisions and/or business units (i.e., implement the PCC to fit the organizations industry market and product development environment, column 3, lines 26-29); consolidating schedule, cost, risk and resource information (i.e., PCC provides a set of metrics including schedule, budget, and resources, column 3, lines 64-67); and providing a user with a requested report at any requested level in the process hierarchy and for any requested part of the company (i.e., metric defined report, column 8, lines 56-65).

As per claim 38, Ladd discloses a method of evaluating and comparing a group of product development programs in a portfolio (i.e., PCC defining multiple products linked together to form a meta product, column 4, lines 52-55) using a computer system comprising: allowing a user to define program-specific metrics for two or more programs that will be tracked by said computer system (i.e., a configurable set of metrics is provided for different aspects of the product life cycle, column 2, lines 31-36); allowing a user to define how metric values will be obtained during execution of a program (i.e., PCC provides a comprehensive set of metrics for monitoring different aspects of the development of a product, column 3, lines 64-67); and

presenting to a user multi-program portfolio data regarding multiple programs' phase, cost, schedule, and risk status (i.e., multiple products linked together to form a meta product, including the comprehensive metrics for each product, column 4, lines 52-55 and column 3, lines 64-67).

As per claim 39, Ladd discloses said metrics can be derived from system data (i.e., budget information, column 3, lines 66-67).

As per claim 40, Ladd discloses said metrics can be derived from user input during reviews (i.e., metrics definition, column 8, lines 55-58).

As per claim 42, Ladd discloses said metrics can be derived from a user-defined mathematical formula involving one or more other metrics (i.e., identifying expressions used to derive the metric, column 8, lines 63-64).

As per claim 46, Ladd discloses providing users with metric reports to support program review and portfolio level decision making (column 8, lines 55-65), said metric reports derived from one or more of system data (i.e., budget information, column 3, lines 66-67).

As per claim 47, Ladd discloses allowing users to compare program attractiveness and performance by creating customized tabular reports and charts of the programs and metrics they wish to analyze (i.e., user is able to explode the node into a summary view, allowing the user to select an activities flow chart for viewing or editing, column 9, lines 32-35.

As per claim 49, Ladd discloses parent based rules further comprise when a phase is activated, the deliverables it contains are activated (i.e., life-cycle tree divided into phases, which are divided into deliverables, column 3, lines 35-39).

As per claim 50, Ladd discloses said business model objects further can comprise one or more of program (i.e., scripting language, column 5, lines 23-25) and gate review.

As per claim 51, Ladd discloses said business model objects further can comprise one or more of codes and metrics (column 8, lines 38-40).

As per claim 52, Ladd discloses one or more methodologies; wherein each of said methodologies comprises one or more similar lifecycles (i.e., the PCC is specified in terms of a process, comprised of a life-cycle tree, divided into phases, column 3, lines 35-38).

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

7. Claims 4, 6-8, 17-21, 28, 30-33, 53, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd (USPN 5,864,480), in view of Hambrick et al (USPN 5,836,011).

As per claim 4, Ladd does not disclose one or more business objects are associated with one or more states that characterize said one or more business object's status. Hambrick et al disclose objects consisting of states, wherein the projects have a lifecycle defined by states, the progress through which is governed by actions of transitions (column 5, lines 41-45). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include one or more business objects are associated with one or more states in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 6, Ladd does not disclose behavior of a business object depending on one or more business rules. Hambrick et al disclose each transition from one state to the next in the lifecycle enabled through a specific authorization (i.e., rules, column 5, lines 45-47). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include behavior of a business object depending on one or more business rules in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 7, Ladd discloses business objects can transition between states as a result of changes of state of other business objects in accordance with one or more business rules. Hambrick et al disclose each transition from one state to the

next in the lifecycle enabled through a specific authorization (i.e., rules, column 5, lines 45-47). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include behavior of a business object depending on one or more business rules in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 8, Ladd discloses business rules can be defined during the initial design of a lifecycle or during the modification of a lifecycle for a particular program or can be imposed by the overall design of the software system. Hambrick et al disclose each transition from one state to the next in the lifecycle enabled through a specific authorization (i.e., rules, column 5, lines 45-47), thus defining rules at any point during the lifecycle. Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include behavior of a business object depending on one or more business rules in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 17, Ladd does not disclose said states can comprise one or more of pending, planning, active, complete, inactive, canceled; and additional states. Hambrick et al disclose three major categories of state including automatic, explicit, and inactive (column 11, lines 40-48). Both Ladd and Hambrick are concerned with

effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include states being active, complete, and/or inactive in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 18, Ladd does not disclose object state transitions can be manual or automatic. Hambrick et al disclose three major categories of state including automatic, explicit, and inactive (column 11, lines 40-41). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include state transitions being automatic in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 19, Ladd does not disclose automatic object state transitions can occur based on transitions of other related objects. Hambrick et al disclose the first automatic state indicates a list of projects that must be completed before further activity can take place (column 11, lines 40-48). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include state transitions being automatic in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 20, Ladd does not disclose an object state transition can cause other cascading object state transitions that thereby automate aspects of the development process. Hambrick et al disclose objects used to drive the processing of the system, wherein transitions 306 grant access or the inability to initiate activity that drives the project (column 9, lines 33-38). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include an object state transition causing other cascading object state transitions in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claims 21 and 53, Ladd does not disclose a resource assignment object can be initialized to be activated just-in-time, e.g., only after all predecessors to a deliverable or phase of program containing the resource assignment are complete. Hambrick et al disclose the first automatic state indicates a list of projects that must be completed before further activity can take place (column 11, lines 40-48). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include state transitions being automatic in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 28, Ladd discloses allowing a program manager to indicate other users that will be part of a program by assigning individuals to roles specified in a

program lifecycle (i.e., PCC provides a set of metrics monitoring different aspects of development, including scheduling, resources, and team creation, column 3, lines 64-67 and column 6, lines 35-37); and creating an association between roles or users and program tasks and thereby supporting automated execution (i.e., scheduling and team creation, column 3, lines 64-67 and column 6, lines 35-37). Ladd does not explicitly disclose putting resource assignments on user's tasks list when those resource assignments become active and allowing users to communicate with users when the program is activated. Hambrick et al disclose assigning an activity to an entire team 301 of members 311, such that any single member 311 can execute the activity 302 (column 10, lines 13-17). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include putting resource assignments on user's tasks list when those resource assignments become active in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 30, Ladd discloses a task sent to users may have linked to them documents or other information needed to complete said task (i.e., within each deliverable there is an activity.

As per claim 31, Ladd discloses providing one or more users, such as process implementers and project managers, with real time/living schedule reports that

reflect the latest updates and revisions (i.e., PCC monitors schedule metrics and updates schedule metrics based upon evaluation, column 8, lines 39-47).

As per claims 32 and 33, Ladd does not disclose said updates and revisions comprise revisions made by users to their tasks via a communication channel, wherein said updates and revisions comprise addition or removal of tasks or groups of tasks from the overall process. Hambrick et al discloses a computer interface for informing members of the project of conditions, states, assignments, etc. (column 6, lines 8-17). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include said updates and revisions comprise revisions made by users to their tasks in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

As per claim 57, Ladd discloses activation of a resource assignment object triggers one or more task notifications; and further comprising automatically notifying a process implementer using said computer system of an assigned task in response to said activated resource assignment object. Hambrick et al disclose assigning an activity to an entire team 301 of members 311, such that any single member 311 can execute the activity 302 (column 10, lines 13-17). Both Ladd and Hambrick are concerned with effective lifecycle management, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include putting resource assignments on user's tasks list when those resource

assignments become active in Ladd, as seen in Hambrick, making it easy to precisely describe the behavior and relationship of the system processes (see Hambrick, column 5, lines 31-34) in Ladd.

8. Claims 35-37, 54, and 56 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd (USPN 5,864,480), in view of Matsuzaki et al (USPN 5,767,848)

As per claim 35, Ladd does not disclose comparing real time forecast data from individual users to plan values for schedule and costs; changing the state of an indicator when user defined tolerances are exceeded; and notifying users of impending schedule slips or cost overruns wherein said comparing comprises comparing forecast duration to plan duration and comparing forecast cost to plan cost. Matsuzaki et al disclose a cost estimating unit 5 for estimating costs on the basis of the product model and schedule estimating unit 7 for estimating development schedule on the basis of work and resources (column 5, lines 59-66). Further, Matsuzaki et al disclose comparing the estimated completion schedule and the target completion schedule, and if the delay in the schedule is greater than a predetermined threshold, generating an alarm message (column 8, lines 17-23). Both Ladd and Matsuzaki et al are concerned with effective product development, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include comparing real time forecast data from individual users to plan values for schedule and costs; changing the state of an

indicator when user defined tolerances are exceeded in Ladd, as seen in Matsuzaki et al, thus allowing the users in the Ladd system to be able to effectively to measures at an early stage in the schedule to remedy the problem, as disclosed by Matsuzaki et al (column 8, lines 23-27).

As per claim 36, Ladd discloses notification of a slip in a schedule is escalated to higher level reports in the process hierarchy only when said slip occurs on a schedule critical path, thereby making potential schedule delays along the critical path visible in the highest level reports. Matsuzaki et al disclose comparing the estimated completion schedule and the target completion schedule, and if the delay in the schedule is greater than a predetermined threshold, generating an alarm message (column 8, lines 17-23). Both Ladd and Matsuzaki et al are concerned with effective product development, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include notification of a slip in a schedule is escalated to higher level reports in the process hierarchy in Ladd, as seen in Matsuzaki et al, thus allowing the users in the Ladd system to be able to effectively to measures at an early stage in the schedule to remedy the problem, as disclosed by Matsuzaki et al (column 8, lines 23-27).

As per claim 37, Ladd discloses allowing a user to view an alert of a slip in a higher level report and allowing the user to drill down to more detailed, lower level reports to get to the source of said slip. Matsuzaki et al disclose comparing the estimated completion schedule and the target completion schedule, and if the delay in the schedule is greater than a predetermined threshold, generating an alarm

message (column 8, lines 17-23). Both Ladd and Matsuzaki et al are concerned with effective product development, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include discloses allowing a user to view an alert of a slip in a higher level report in Ladd, as seen in Matsuzaki et al, thus allowing the users in the Ladd system to be able to effectively to measures at an early stage in the schedule to remedy the problem, as disclosed by Matsuzaki et al (column 8, lines 23-27).

As per claim 54, Ladd discloses defining states associated with phases and deliverables that characterize their status (i.e., life-cycle tree, divided into phases, which are divided into deliverables, column 3, lines 35-39); after said defining, providing access to one or more process managers to input initial information regarding phases and deliverables including relationships and dependencies between phases and deliverables (i.e., the process script GUI inputs processes into the PCC, wherein the process is specified as s life-cycle tree, which broken down into phases and deliverables, column 4, lines 16-21) and to indicate goals for phases and deliverables (i.e., a comprehensive set of metrics, column 3, lines 64-67; providing access to said computer system to one or more process implementers in order for said implementers to enter data indicating status of resource assignments (i.e., PCC provides access to product's status and schedules, column 10, lines 8-10); informing one or more process implementers of updated resource assignments and due dates (i.e., PCC schedule updated, column 8, lines 45-48). Ladd does not explicitly disclose in response to a request from a manager, providing overview and

drill-down reports of updated process/lifecycle status. Matsuzaki et al disclose member inquiries 701 with regard to tasks members want to know about (column 14, lines 14-20). Both Ladd and Matsuzaki et al are concerned with effective product development, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include in response to a request from a manager, providing overview and drill-down reports of updated process/lifecycle status in Ladd, as seen in Matsuzaki et al, thus allowing the users in the Ladd system to be able to effectively to measures at an early stage in the schedule to remedy the problem, as disclosed by Matsuzaki et al (column 8, lines 23-27).

As per claim 56, Ladd discloses a schedule slip is determined by examining changes in one or more durations. Matsuzaki et al disclose comparing the estimated completion schedule and the target completion schedule, and if the delay in the schedule is greater than a predetermined threshold, generating an alarm message (column 8, lines 17-23). Both Ladd and Matsuzaki et al are concerned with effective product development, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include schedule slip is determined by examining changes in one or more durations in Ladd, as seen in Matsuzaki et al, thus allowing the users in the Ladd system to be able to effectively to measures at an early stage in the schedule to remedy the problem, as disclosed by Matsuzaki et al (column 8, lines 23-27).

9. Claims 41, 43-45, and 55 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ladd (USPN 5,864,480), in view of Barnard et al (USPN 6,684,191).

As per claim 41, Ladd does not explicitly disclose said metrics can be derived from quantitative responses to one or more questions. Barnard et al disclose the assessment team, accessing summary template, including questionnaires for coordinating and documenting the work of the assessment team relating to metrics (column 38, lines 1-15). Both Ladd and Barnard et al are concerned with product deployment, including creating the required deliverables and project management functions, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include metrics can be derived from quantitative responses to one or more questions in Ladd, as seen in Barnard et al, as an effective means of assessment in determining metrics in the Ladd system.

As per claim 43, Ladd does not explicitly disclose for metrics derived from questionnaire responses, allowing a user to define the questions to be associated with the metric; and for metrics derived from questionnaire responses, allowing a user to define a questions response scale. Barnard et al disclose the assessment team, accessing summary template, including questionnaires for coordinating and documenting the work of the assessment team relating to metrics (column 38, lines 1-15). Both Ladd and Barnard et al are concerned with product deployment, including creating the required deliverables and project management functions, therefore it would have been obvious to one having ordinary skill in the art at the

time the invention was made to include metrics can be derived from quantitative responses to one or more questions in Ladd, as seen in Barnard et al, as an effective means of assessment in determining metrics in the Ladd system.

As per claim 44, Ladd discloses allowing a user to specify which users will receive an electronic questionnaire that will be used to capture responses. Barnard et al disclose the assessment team, accessing summary template, including questionnaires for coordinating and documenting the work of the assessment team relating to metrics (column 38, lines 1-15). Both Ladd and Barnard et al are concerned with product deployment, including creating the required deliverables and project management functions, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include metrics can be derived from quantitative responses to one or more questions in Ladd, as seen in Barnard et al, as an effective means of assessment in determining metrics in the Ladd system.

As per claim 45, Ladd discloses allowing users to analyze and discuss user responses, and to enter a consensus score to be used in calculating metric values for program and multi-program analysis. Barnard et al disclose the assessment team, accessing summary template, including questionnaires for coordinating and documenting the work of the assessment team relating to metrics (column 39, lines 1-15), wherein the assessment team and project manager formulate the metrics assessment approach (column 38, lines 41-46). Both Ladd and Barnard et al are concerned with product deployment, including creating the required deliverables and

project management functions, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include metrics can be derived from quantitative responses to one or more questions in Ladd, as seen in Barnard et al, as an effective means of assessment in determining metrics in the Ladd system.

As per claim 55, Ladd does not disclose calculating a risk score for a risk by combining scores for the risk probability and the risk severity; and adding a number of individual risk scores to get a total risk index. Barnard et al disclose risk assessment, wherein the quality assurance process recognizes potential risk areas and reduces the possibility of project delays (column 25, lines 24-29). Both Ladd and Barnard et al are concerned with product deployment, including creating the required deliverables and project management functions, therefore it would have been obvious to one having ordinary skill in the art at the time the invention was made to include metrics can be derived from quantitative responses to one or more questions in Ladd, as seen in Barnard et al, as an effective means of assessment in determining metrics in the Ladd system.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

-Kobayashi et al (US 2004/0236551) disclose a computer-aided product designing assistant apparatus.

-Miyamoto (USPN 5768129) disclose an environmental assessment system.

-Katayanagi et al (USPN 6321983) disclose managing the overall life cycle of a product.

-Miyamoto (USPN 5878433) disclose an environmental load assessing device.

-Leonard (USPN 5729746) discloses developing a software product that provides estimates of the final lines of code.

-Fong et al (USPN 6904593) disclose performing life cycle management of business software applications.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andre Boyce whose telephone number is (571) 272-6726. The examiner can normally be reached on 9:30-6pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tariq Hafiz can be reached on (571) 272-6729. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

adb
September 26, 2005

ROMAIN JEANTY
PRIMARY EXAMINER
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